

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE K.BALAKRISHNAN NAIR

THURSDAY, THE 5TH JULY 2007 / 14TH ASHADHA 1929

WP(C).No. 14732 of 2004(D)

PETITIONERS:

1. AJI MON PETER, SENIOR TREATMENT
SUPERVISOR, REVISED NATIONAL TUBERCULOSIS
CONTROL PROGRAMME UNIT (R.N.T.C.P.),
KANJIRAPPALLY TALUK HOSPITAL, KANJIRAPPALLY.
2. JAISON GEORGE, SENIOR TREATMENT
SUPERVISOR, REVISED NATIONAL TUBERCULOSIS
CONTROL PROGRAMM UNIT, (R.N.T.C.P.),
MEDICAL COLLEGE, KOTTAYAM.

BY ADV. SRI.B.KRISHNA MANI

RESPONDENTS:

1. THE DIRECTOR OF HEALTH SERVICES
GOVERNMENT OF KERALA, THIRUVANANTHAPURAM.
2. THE DISTRICT MEDICAL OFFICER,
KOTTAYAM.

BY GOVERNMENT PLEADER SRI.P.NANDAKUMAR.

THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION ON
05/07/2007, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

K.BALAKRISHNAN NAIR, J.

W.P.(C) No.14732 of 2004-D

Dated this the 5th day of July, 2007.

J U D G M E N T

The petitioners are graduates. They were appointed as Senior Treatment Supervisors, under the second respondent, by Exts.P1 and P2 orders. Their appointment was for a period of one year on contract basis or till regular hands are posted, whichever is earlier. They were sent for a training, as per Ext.P3 communication of the District T.B. Officer. Exts.P4 and P5 would show that they have successfully completed the training. On finding that S.S.L.C hands are going to replace them, this writ petition is filed seeking appropriate reliefs. They submit, as per Ext.P6 Revised National Tuberculosis Control Project, approved and funded by the World Health Organisation, only graduates are qualified to be appointed as Senior Treatment Supervisors. So, they pray, S.S.L.C hands may not be appointed.

2. I heard the learned Government Pleader for the respondents also.

3. The petitioners are contract employees. They have a right to continue in service for a period of one year or till regular hands join duty, whichever is earlier. The appointment to public service is governed by Special Rules or Government Orders issued in lieu of it and not by any Scheme formulated by the World Health Organisation. As long as S.S.L.C is

prescribed as a qualification under the Special Rules/Government Orders, there is nothing wrong in appointing S.S.L.C hands. Therefore, the challenge made by the petitioners against the appointment of such persons is repelled and the Writ Petition is dismissed.

**K.BALAKRISHNAN NAIR,
JUDGE.**

MS